



Accessible design and construction of multifamily dwellings is the Law under the Fair Housing Act.

*If your multifamily housing isn't accessible under the Fair Housing Amendments Act of 1988, you could be liable for civil fines of up to \$50,000.*

The Virginia Fair Housing Office  
3600 West Broad Street  
Fifth Floor  
Richmond, Virginia 23230



**Mother of 3.  
PhD in Economics.  
Can't get into her own home.**

**Fair Housing Amendments Act  
requirements for multifamily dwellings.**

## What is the Fair Housing Amendments Act?

As a general overview, the Fair Housing Amendments Act of 1988 prohibits discrimination on the basis of race, color, religion, sex, handicap, familial status or national origin in the sale, rental, and financing of dwellings. Virginia's law also prohibits discrimination on the basis of elderliness, which applies to anyone over 55.

More specifically, the 1988 Amendments also establish certain accessibility requirements in the design and construction of multifamily housing built for first occupancy on or after March 13, 1991. Covered multifamily dwellings are buildings that consist of four or more dwelling units — including apartments, condominiums, single-story townhouses, vacation time-sharing properties and other residential buildings.

## Who must comply with the law?

Anyone involved in the design or construction of multifamily homes must adhere to specific features of accessible design as stated in the Fair Housing Amendments Act. Such individuals include:

- **Architects**
- **Builders**
- **Building contractors**
- **Site engineers**
- **Any other person(s) involved in the design and construction of residential multifamily housing**

## THE 7 REQUIREMENTS FOR ACCESSIBILITY.

*The core design and construction requirements for multifamily housing include:*

1. An accessible building entrance on an accessible route (among other things, this means no stairs leading up to a front door).
2. Accessible and usable public and common-use areas (pools, parking lots, vending areas, etc).
3. Doors that can be used by persons in wheelchairs (e.g., 32" widths rather than 28" widths).
4. An accessible route into and through the dwelling unit.
5. Accessible light switches, electrical outlets, thermostats and other environmental controls.
6. Reinforced bathroom walls for later installation of grab bars.
7. Usable kitchens and bathrooms, so an individual in a wheelchair can maneuver about the space.

## What other requirements could apply?

In some instances, state and local laws require multifamily dwellings to be designed and constructed in a manner that affords persons with disabilities greater accessibility than the requirements of the Fair Housing Amendments Act. Further, the Fair Housing Amendments Act does not invalidate these laws. In addition, other Federal laws that require greater accessibility in certain housing are not invalidated or replaced by the Fair Housing Amendments Act. Two examples of these Federal laws include:

- Section 504 of the Rehabilitation Act of 1973.
- The Architectural Barriers Act of 1968.

## The economic consequences of non-compliance.

When the law has been violated, a judge's relief order may include actual and compensatory damages, as well as attorneys' fees and costs. In addition, civil penalties can range from \$10,000 to \$50,000. Structural changes may even be ordered in the case of buildings that have already been completed.

## Where to get more information.

For more detailed design and construction requirements for multifamily housing, contact:

**The Fair Housing Information Clearing House**

1-800-343-3442 • TTY/TDD: 1-800-290-1617

**The Department of Housing and  
Urban Development (HUD)**

1-800-343-3442

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Sometimes, the distance  
between your design and the  
right design is this small.



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